

**HOUSE BILL 1526**  
CONSTITUTIONAL AMENDMENT

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2004 Regular Session  
4r3236

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By: **Delegate Barve**

Introduced and read first time: March 8, 2004

Assigned to: Rules and Executive Nominations

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A BILL ENTITLED

1 AN ACT concerning

2 **Elective Franchise - Runoff Elections**

3 FOR the purpose of proposing an amendment to the Constitution of Maryland to  
4 require the General Assembly to make provision for runoff elections for certain  
5 offices under certain circumstances; requiring that a runoff election be limited  
6 only to certain candidates; generally relating to runoff elections for certain  
7 elective offices; and submitting this amendment to the qualified voters of the  
8 State of Maryland for their adoption or rejection.

9 BY proposing an amendment to the Maryland Constitution  
10 Article I - Elective Franchise  
11 Section 8

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
13 MARYLAND, (Three-fifths of all the members elected to each of the two Houses  
14 concurring), That it be proposed that the Maryland Constitution read as follows:

15 **Article I - Elective Franchise**

16 8.

17 The General Assembly, shall make provisions for all cases of contested elections  
18 of any of the officers, not herein provided for, INCLUDING PROVISIONS FOR A RUNOFF  
19 ELECTION FOR AN ELECTIVE OFFICE IN WHICH ONLY ONE CANDIDATE IS TO BE  
20 ELECTED AND NO CANDIDATE RECEIVES MORE THAN 50% OF THE VOTES CAST FOR  
21 THAT OFFICE, EXCEPT THAT ONLY THE TWO CANDIDATES WHO RECEIVED THE  
22 HIGHEST NUMBER OF VOTES IN THE GENERAL ELECTION MAY BE ELIGIBLE FOR THE  
23 RUNOFF ELECTION.

24 SECTION 2. AND BE IT FURTHER ENACTED, That the General Assembly  
25 determines that the amendment to the Maryland Constitution proposed by this Act  
26 affects multiple jurisdictions and that the provisions of Article XIV, § 1 of the  
27 Maryland Constitution concerning local approval of constitutional amendments do  
28 not apply.

1 SECTION 3. AND BE IT FURTHER ENACTED, That the foregoing section  
2 proposed as an amendment to the Maryland Constitution shall be submitted to the  
3 legal and qualified voters of this State at the next general election to be held in  
4 November, 2004 for their adoption or rejection in pursuance of directions contained in  
5 Article XIV of the Maryland Constitution. At that general election, the vote on this  
6 proposed amendment to the Constitution shall be by ballot, and upon each ballot  
7 there shall be printed the words "For the Constitutional Amendment" and "Against  
8 the Constitutional Amendment," as now provided by law. Immediately after the  
9 election, all returns shall be made to the Governor of the vote for and against the  
10 proposed amendment, as directed by Article XIV of the Maryland Constitution, and  
11 further proceedings had in accordance with Article XIV.